



**FAIRVIEW TOWN COUNCIL EXECUTIVE SESSION  
TOWN HALL COUNCIL CHAMBERS  
372 TOWN PLACE  
FAIRVIEW, TEXAS  
TUESDAY, DECEMBER 5, 2023  
6:00 P.M.  
AGENDA**

**1. Call to Order 6:00 p.m.**

**2. Executive Session**

In accordance with Texas Government Code:

- A. Section 551.071 – to consult with legal counsel** regarding pending or contemplated litigation and/or on matters in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Government Code including CPDD development improvements, ordinances, agreements and financing; contracts for services; town property and infrastructure; administrative matters; drainage matters; town regulations; transportation matters; state law review and compliance.
- B. Section 551.072** - discuss or deliberate the purchase, exchange, sale, lease, or value of real property, acquisition of right-of-way, easements, or land.
- C. Section 551.074 Personnel** - appointment of members of all non-advisory boards and commissions.
- D. Section 551.087 – to discuss or deliberate Economic Development Negotiations:** (1) To discuss or deliberate regarding commercial or financial information that the Town of Fairview has received from a business prospect that the Town seeks to have locate, stay, or expand in or near the territory of the Town of Fairview and with which the Town is conducting economic development negotiations; or (2) To deliberate the offer of a financial or other incentive to a business prospect described by subdivision (1). Proposed commercial/retail developments.

*Under Tex. Gov't Code Chapter 551, the Town Council may enter closed session to discuss any items listed or referenced on a posted agenda notice for this meeting as necessary under the listed exceptions to the Open Meetings Act.*

- 1. The Council may vote and/or act upon each of the items listed in this agenda.
- 2. The Council reserves the right to retire into executive session concerning any of the items listed on this agenda, where it is considered necessary and legally justified under the Open Meetings Act.

*The council further reserves the right to enter into executive session at any time throughout any duly noticed meeting under any applicable exception to the Open Meetings Act.*

*The Council reserves the right to discuss or take action on Executive Session items on this meeting notice or any item on the Town Council's December 5, 2023, Regular Session meeting agenda, which was posted at the same date, time and place of this Executive Session meeting agenda, said Regular Session meeting being scheduled to begin at 7:30 p.m. on December 5, 2023, at Fairview Town Hall.*

**3. Adjourn 7:30 p.m.**

I, Joshua Stevenson, Town Secretary, hereby certify that this notice was posted in accordance with Texas Government Code, Chapter 551, on or before the 2<sup>nd</sup> day of December 2023 at 6:00 p.m.

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Joshua Stevenson, Town Secretary

**NOTICE OF ASSISTANCE AT THE PUBLIC MEETINGS:**

The Town of Fairview Council Chambers is wheelchair accessible. Access to the building and special parking is available at the primary southwest and northwest entrance into the Town Hall parking lot. Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services such as interpreters for persons who are deaf or hearing impaired, readers, or large print, are requested to contact the Town Secretary's office at least 48-hours prior to the meeting. Please e-mail your request to [townsecretary@fairviewtexas.org](mailto:townsecretary@fairviewtexas.org) or call at 972-886-4234. BRAILLE IS NOT AVAILABLE.

1. The Council may vote and/or act upon each of the items listed in this agenda.
2. The Council reserves the right to retire into executive session concerning any of the items listed on this agenda, where it is considered necessary and legally justified under the Open Meetings Act.



**FAIRVIEW TOWN COUNCIL REGULAR MEETING  
TOWN HALL COUNCIL CHAMBERS  
372 TOWN PLACE  
FAIRVIEW, TEXAS  
TUESDAY, DECEMBER 5, 2023  
7:30 P.M.  
AGENDA  
\*RESULTS\***

1. **Call to Order** 7:30 p.m.
2. **Pledge of Allegiance: U.S. and Texas Flags**
3. **Oath of Office**
  - a. Chief of Police – William Christopher Chandler
4. **Proclamation and Information Sharing**
  - a. DCTA Introduction Presentation

5. **Citizen's Comment**

*At this time, any person may address the Council regarding an item on this meeting agenda or on matters not on this meeting agenda. Each person will have up to five (5) minutes. The Mayor may reduce the speaker time limit uniformly to accommodate the number of speakers or improve meeting efficiency.*

*Pursuant to Section 551.007 of the Texas Government Code, any person wishing to address the Town Council for items listed as Public Hearings will be recognized when the Public Hearing is opened.*

*No discussion or action may be taken at this meeting on items not listed on this agenda, other than to make statements of specific factual information in response to a citizen's inquiry or to recite existing policy in response to the inquiry.*

6. **Consent Agenda**

- a. Approve the minutes of the November 2, 2023, Joint Meeting of the Planning & Zoning Commission and the Town Council. **Approved**
- b. Approve the minutes of the November 7, 2023, Regular Council meeting. **Approved**
- c. Approve a Resolution denying CoServ Gas Rate Increase within the Town of Fairview. **Approved**

- d. Approve a resolution adopting a Conditional Municipal Service Agreement between the Town of Fairview, and Brian and Janna Jarvis, for 5.673-acre tract of land, situated in the F.T Duffau Survey, Abstract No. 287. Generally located at the terminus of Sharon Road. Owners/Applicants: Brian and Janna Jarvis. **Approved**
- e. Authorize the Town Manager and Town Attorney to take all steps necessary to participate in settlements of the PFAS Class Action.. **Approved**
- f. Approve a resolution adopting and ratifying plat application submittal requirements in accordance with HB 3699. **Approved**
- g. Approve an updated ordinance regarding the Town policy on water leak adjustments. **Tabled to January meeting**

*All items listed under the Consent Agenda are considered routine and will be acted on by one motion, with no separate discussion of these items. If discussion is desired, an item may be removed from the consent agenda and considered separately.*

#### 7. **Reports from Staff**

- a. Monthly Financial Report – Period ending October 31, 2023
- b. Monthly Police Report – Period Ending November 30, 2023
- c. Monthly Fire Report – Period Ending November 30, 2023
- d. Town construction projects

#### 8. **Public Hearings**

- a. Conduct a public hearing to consider and take any necessary action on a request for approval of a Conditional Use Permit (CUP) for an accessory structure. The 2.8-acre lot is located at 84 Secretariat Lane and is zoned for the (RE-2) Two-acre Ranch Estate District. Owner/Applicant: Bror Peterson. **Approved with revisions**
- b. Conduct a public hearing to consider and take any necessary action on the voluntary annexation of a 5.67-acre tract of land, situated in the F.T Duffau Survey, Abstract No. 287. Generally located at the terminus of Sharon Road. Owners/Applicants: Brian and Janna Jarvis. **Approved**
- c. Conduct a public hearing to consider and take any necessary action on a request to establish zoning and on a 5.67-acre tract of land for the (RE-3) Three-acre Ranch Estate District. The site is located at the end of Sharon Road and is currently unzoned. Applicant/Owners: Brian and Janna Jarvis. **Approved**
- d. ~~Conduct a public hearing to consider and take any necessary action on an ordinance granting Atmos Energy Corp. a franchise to construct, maintain and operate pipelines and equipment within the Town.~~ **Moved to the Regular Meeting in January 2024**
- e. Conduct a public hearing to consider and take any necessary action on an ordinance to re-authorize Town building permit fees in accordance with HB 1922. **Approved**

#### 9. **Council Action/Discussion Items**

- a. Consider, discuss, and take any necessary action on a recognition/public art installation at Fire Station 1. **Approved**
- b. Consider, discuss, and take any necessary action on awarding a bid for HVAC upgrades at Fire Station 2. **Approved**
- c. Consider, discuss, and take any necessary action on awarding a bid for Generator upgrades at Fire Station 2. **Approved**
- d. Consider, discuss, and take any necessary action on a Resolution allocating votes for Collin County Appraisal District Board of Directors election. **Approved**

- e. Consider, discuss, and take any necessary action on authorizing the Town Manager to enter into an agreement for resident and employee survey services. **Approved**
- f. Consider, discuss, and take any necessary action on moving the regular Town Council meeting of January 2024. **Approved - moved to Wednesday, January 10, 2024**

10. **Council and Staff Comments**

*Council and Staff Comments relating to items of public interest: Announcements regarding local or regional civic and charitable events, staff recognition, commendation of citizens, traffic issues, upcoming meetings, informational updates on Town projects, awards, acknowledgement of meeting attendees, birthdays, requests of the Town Manager for items to be placed on upcoming agendas, and condolences.*

11. **Closed Session**

In accordance with Texas Government Code:

- A. Section 551.071 – to consult with legal counsel** regarding pending or contemplated litigation and/or on matters in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Government Code including CPDD development improvements, ordinances, agreements and financing; contracts for services; town property and infrastructure; administrative matters; drainage matters; town regulations; transportation matters; state law review and compliance.
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12. **Adjourn** 9:46 p.m.

I, Joshua Stevenson, Town Secretary, hereby certify that this notice was posted in accordance with Texas Government Code, Chapter 551, on or before the 2<sup>nd</sup> day of December 2023 at 6:00 p.m.

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Joshua Stevenson, Town Secretary

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